



New Mexico Regulation and Licensing Department  
BOARDS AND COMMISSIONS DIVISION  
Board of Pharmacy

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[www.rld.state.nm.us/boards/pharmacy.aspx](http://www.rld.state.nm.us/boards/pharmacy.aspx)

## April 16<sup>th</sup> and -17<sup>th</sup>, 2015 Regular Board Meeting Agenda

The NMBOP is going **GREEN**. Please bring your tablets and laptops if you plan to attend this meeting, as we will have Internet access available.

Board Meetings are open to the public pursuant to the "Open Meetings Act" and notices to the public are posted in the Albuquerque Journal. Notice published February 25, 2015.

Location: 5200 Oakland Ave. NE, Albuquerque, NM

Scheduled Meeting Time: 9:00 a.m. – 5:00 p.m. Thursday and Friday

Thursday, April 16, 2015

1. Procedural Items:

9:00 a.m. Call to Order:

Roll Call:

Welcome new NMBOP Member:

Approval of the Agenda:

Approval of January 2015 Minutes:

2. 9:15 a.m. Notice of Hearing: David Nunez/Medicap Pharmacy - 2013-009 and 2013-030  
(*Bean & Associates will be recording*)
3. Recess for the day:

\* The board may go into Executive Session to discuss these items and any other items pursuant to Section 10-15-1H(1), Section 10-15-1H(2) or Section 10-15-1H(7) of the Open Meeting Act. Agenda items may be executed at any time during the meeting to accommodate hearings.

H(1) are licensing matters, H(2) is limited to personnel matters, H(7) is pending or threatened litigation.

**Friday, April 17, 2015**

**1. Procedural Items:**

**9:00 a.m. Reconvene:**

**Roll Call:**

**2. 9:15 a.m. Monitored Treatment Program Report\*:**

**3. 9:30 a.m. Licensee Applications:**

- a) Application List
- b) Pharmacist Clinicians

**4. 10:00 a.m. Rules Hearings:**

a. [16.19.6 NMAC new section 28 – automated filling systems](#)

b. [16.19.20.67 hydrocodone proposed change](#)

**5. 11:00 a.m. – 11:15 a.m. Carl Flansbaum – Discussion regarding DOH & PMP:**

**6. 11:15 a.m. – 11:45 a.m. Public/Professional Requests/Waiver Petitions\*:**

11:15 – 11:25 – Kathy Wade – Waiver for CE taken in April

11:25 – 11:35 – El Centro Family Health/Taos – extend waiver

11:35 – 11:45 – Tresco/Las Cruces – HEP B vaccine waiver

**7. Lunch: 12:00 p.m. – 1:30 p.m.**

**8. 1:30 p.m. Litigation Update:**

- a) Ellwood Stipulated Agreement – not to practice in our state indefinitely

**9. Committee Reports and Board Actions:**

10 minutes: Carl Flansbaum – 16.19.29 NMAC amend required data reporting

10 minutes: 16.19.11 NMAC – proposed language regarding a 24-hour/365 day on-site nurse may use an emergency drug tray containing controlled substances

20 minutes: 16.19.6.27 NMAC – Automated Drug Distribution Systems in Health Care Facilities

**10. Executive Director's Report\*:**

***(May be heard at any time during the meeting)***

- a) Inspector McCracken & Inspector Mossberg – 16.19.6 NMAC outsourcing language
- b) Dennis McAllister - 16.19.22 NMAC remote technicians
- c) Buffie Saavedra & Amy Buesing – BOP Strategic Plan
- d) LuGina Mendez-Harper - NC Dental Board v. FTC informational webinar
- e) Amy Bachyrycz and Michel Disco – 16.19.26 NMAC - Immunization Regulation and Protocol
- f) Hearing Officer Appointee/Appointment
- g) Special Board Meeting April 29<sup>th</sup> & 30<sup>th</sup>
- h) Brief Legislative Update
- i) NMPHA – Annual Convention June 27 & 28, 2015 Attendees
- j) LuGina Mendez-Harper – NABP Resolutions

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**Last update 4/09/15**

- k) Power-Pac CE& NMBOP discussion regarding 2 live webinars annually to help pharmacists meet Live Law CE requirement
- l) LuGina Mendez-Harper & Carl Flansbaum - National Rx Drug Abuse Summit
- m) Jennifer Ortega – Walgreens Lovelace Purchase – Training Issues

**11. Case Presentations:**

Inspector McCracken:	2014-079 2015-020 2015-027	2014-080 2015-021 2015-029	2014-082 2015-022	2015-019 2015-023
Inspector Mossberg:	2014-041 2014-083 2015-035	2014-069 2015-018	2014-071 2015-026	2014-074 2015-030
Inspector B. Padilla:	2014-050 2014-081	2014-051 2014-086	2014-072 2015-028	2014-076 2015-032
Inspector A. Padilla:	2013-058	2015-031		
Inspector Kesner:	2014-053			

**12. Stipulated or Settlement Agreements/Surrenders/Defaults and Orders\*:**

2013-040 - Main Street Family Pharmacy – Default Revocation (ULA 61-1-15 petitioning the board to dispute fine)  
 2014-038 – Alex White PT Applicant- Order to deny  
 2014-057P – Lowell’s Pharmacy PH1211 – Stipulated Agreement (hearing request)  
 2014-058P – Lowe’s #55 Pharmacy PH2516 – Stipulated Agreement (modification request)  
 2014-059P – UNM Hospital Outpatient Pharmacy PH1837– Stipulated agreement  
 2014-061P – Vida Pharmacy LLC PH2980 – Stipulated Agreement  
 2014-069 – Voluntary Surrender  
 2014-081 – Cheryl Escobedo PT9455- Default Revocation  
 2015-031 – Voluntary Surrender

**13. Adjournment:**

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